



Attorney Docket No. KDE-23702/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth D. Eisenbraun

Serial No.: 10/824,110

Group Art Unit: 3632

Filing Date: April 14, 2004

Examiner: Jonathon A. Szumny

For: MERCHANDISING HANGER

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please enter the following statement of record of interview with regard to the above-referenced application. Applicant hereby provides the following information with respect to the telephonic interviews of 6 July, 7 July and 12 July 2005 between Examiner Szumny and Applicant's representative, Avery Goldstein. The interview consisted of a demonstration that was mailed to Examiner Szumny consisting of two plastic cable ties having punched cards suspended from the cable ties, one of the ties having two thin portions to simulate the modification of the hanger of Dossett '304 having a thin section as detailed in Paper No. 01062005 (bottom of page 5 – page 6). Applicant's representative contended such a thinning disrupts the alignment of a hanger according to Dossett '304 that is thinned according to the combination obviousness rejection of Dossett '304 in combination with Ross '809. Additionally, Applicant's representative argued that the rubber band (70) of Dossett '304 was not present to

serve the alignment function and to rely on the rubber band for such a function negates any utility for the hanger of Dossett '304. Applicant's representative also argued there is no teaching or motivation to make the thickness of the first and third portions to be different relative to one another.

The Examiner maintains the position that in addition to the specification teaching a first portion thickness being different than a third portion thickness, the application must also include a teaching as to the criticality of such a difference.

Independent claims 1, 10 and 18 were discussed in the course of the interviews.

No agreement was reached in the course of these interviews.

Applicant believes the above summary is in compliance with 37 CFR 1.133. Entry of this summary is hereby requested.

Respectfully submitted,



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Date: 8/26/05

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Serial No. 10/824,110
Statement of the Substance of the Interview



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I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Janice R. Kuehn
Janice R. Kuehn